

Remarks

Claims 1-17 have been rejected based on the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-29 of U.S. Patent No. 6,644,425. Applicant has enclosed a Terminal Disclaimer to overcome this rejection. A Fee Transmittal Sheet is also enclosed herewith for the terminal disclaimer fee.

Applicant has also amended the specification to include a reference to the now issued parent application as requested by the Examiner. It is requested that in the next paper the Examiner acknowledge the claim of priority under 35 U.S.C. §120, as this reference was included in the first sentence of the Application and in the Application Date Sheet as filed. It is also requested that the drawings be confirmed as being acceptable.

Finally, it is noted that the applicant filed a Preliminary Amendment on August 20, 2003 to change the title and to correct the dependency of Claims 10 and 12. In the Office Action summary, the Examiner indicated that this Office Action was responsive to a communication filed on 05 August 2003, which is the filing date of this Continuation Application. It is requested that the Examiner confirm that the Preliminary Amendment has been acknowledged. According to the PAIR system, this Preliminary Amendment was received.

It is believed that the Application has complied with all outstanding requirements, and it is requested that this Application be given a Notice of Allowability at the earliest possible date. Please contact the undersigned attorney if there are any outstanding issues.

Date: May 14, 2004

By: Thomas C. McDonough
Thomas C. McDonough, Reg. No. 33,734
NEAL, GERBER & EISENBERG
Two North LaSalle Street
Chicago, Illinois 60602
(312) 269-8000

Certificate of Mailing: The undersigned hereby certifies that this document and its enclosures are being faxed to the Commissioner for Patents, 703/872-9306 this 14th day of May, 2004.

By: Lisa Lyle
Lisa Lyle

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